

CITY OF FORT WORTH, TEXAS
CITY COUNCIL MEETING
TUESDAY, MARCH 21, 2023

Present:

Mayor Mattie Parker
Mayor Pro tem Gyna M. Bivens, District 5
Council Member Carlos Flores, District 2
Council Member Michael D. Crain, District 3
Council Member Alan Blaylock, District 4
Council Member Jared Williams, District 6
Council Member Leonard Firestone, District 7
Council Member Chris Nettles, District 8
Council Member Elizabeth Beck, District 9

Staff Present:

David Cooke, City Manager
Leann Guzman, City Attorney
Jannette S. Goodall, City Secretary

CALL TO ORDER

With a quorum of the City Council Members present, Mayor Parker called the City Council Regular Session of the Fort Worth City Council to order 6:02 p.m. on Tuesday, March 21, 2023, in the City Council Chamber of the Fort Worth City Hall, 200 Texas Street, Fort Worth, Texas.

INVOCATION - Pastor Chauncey Franks, TCU FCA Charter Coach

The invocation was provided by Pastor Chauncey Franks, TCU FCA Charter Coach.

PLEDGES OF ALLEGIANCE TO THE UNITED STATES AND THE STATE OF TEXAS - (State of Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.")

The Pledges of Allegiance to the United States of America and the State of Texas were recited.

SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

Mayor Parker and Council Member Crain presented a Proclamation for the 50th Anniversary of Leadership Fort Worth to Jennifer Trujillo, Executive Director, Leadership Fort Worth.

ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

City Manager Cooke requested that M&Cs 23-0222 and 23-0229 be removed from the Consent Agenda for individual consideration.

ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

There were no items to be continued or withdrawn by staff.

Ms. Letitia Wilbourn appeared before Council in opposition to M&C 23-0232.

Jerald Miller appeared before Council undecided relative to Item 23-0061.

Adrian Smith appeared before Council in opposition to M&C 23-0206 and appeared before Council in support of Item 23-0061.

Carolyn Rodriguez completed undecided speaker cards relative to M&Cs 23-0214 and 23-0201 and was recognized by Mayor Parker but was not present in the Council Chamber.

Mary Goodman appeared before Council in opposition to M&C 23-0196.

CONSENT AGENDA

Motion: Council Member Crain made a motion, seconded by Council Member Nettles, that the Consent Agenda be approved as amended.

Mayor Pro tem Bivens requested that M&C 23-0232 and 23-0196 also be removed from the Consent Agenda for individual consideration.

Council Member Crain made an amended motion, seconded by Council Member Nettles, that the Consent Agenda be approved as amended. Motion passed 9-0.

A. General - Consent Items

1. [M&C 23-0198](#) (CD 7 / Future CD 10 and ETJ) Adopt Ordinance to Establish a Sewer Per Acre Charge in the Amount of \$2,144.68 Per Acre for the Tradition Central Sewer Upsize and Offsite Parallel Sewer Main Extension to Serve the Tradition Development and Surrounding Areas and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sections 35-81 through 35-86 of the City Code

Motion: Approved. Ordinance No. 26031-03-2023

2. [M&C 23-0200](#) (ETJ / Future CD 10) Adopt Ordinance to Establish the Sewer Per Acre Charge in the Amount of \$883.98 Per Acre for the Sewer Extension to Serve the LPC Bluestone Development and Surrounding Areas and to Establish the Basin Boundaries, Pursuant to Chapter 35, Article III, Division 3, Sections 35-81 through 35-86 of the City Code

Motion: Approved. Ordinance No. 26032-03-2023

3. [M&C 23-0202](#) (ETJ / Future CD 10) Adopt Ordinance to Establish a Water Main Capacity Charge in the Amount of \$38,840.24 Per Million Gallons Per Day for a 24-Inch Northside III Water Transmission Main to Serve the LPC Bluestone Development and Surrounding Areas, Pursuant to Chapter 35, Article III, Division 4, Sections 35-87 Through 35-93 of the City Code

Motion: Approved. Ordinance No. 26033-03-2023

4. [M&C 23-0204](#) (ALL) Authorize a Sole Source Agreement with Geonex Technologies, LLC. for Software, Licensing, Maintenance and Support, Mapping Solutions, and Professional Services Utilized by the Water Utility's Enterprise Asset Management Program for an Annual Amount of \$166,699.92

Motion: Approved.

5. [M&C 23-0211](#) (CD 2 / Future CD 2) Adopt Appropriation Ordinance in the Amount of \$43,204.00 in the Aviation Gas Lease Capital Projects Fund for Design of the Gate 1 Turn Lane Project at Meacham International Airport and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26034-03-2023

6. [M&C 23-0213](#) (ALL) Adopt Ordinance Appointing the Substitute Municipal Judges for a Two-Year Term Commencing April 1, 2023, and Ending March 31, 2025

Motion: Approved. Ordinance No. 26035-03-2023

7. [M&C 23-0214](#) (ALL) Approve Reserve Officer Andrew Nolan's Appointment by the Chief of Police to Serve in a Supplementary Capacity for the Police Department

Motion: Approved.

8. [M&C 23-0216](#) (ALL) Authorize Application for, and Authorize Acceptance of, if Awarded, the United States Department of Transportation, Federal Motor Carrier Safety Administration, Fiscal Year 2024 High Priority Commercial Motor Vehicle Program Grant in an Amount Up to \$800,000.00 Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26036-03-2023

9. [M&C 23-0219](#) (CD 9 / Future CD 9) Approve Request of Downtown Fort Worth Initiatives, Inc., for Temporary Street Closures from April 17, 2023, through April 24, 2023, to Accommodate the 2023 Main Street Fort Worth Arts Festival

Motion: Approved.

10. [M&C 23-0221](#) (ALL) Adopt Appropriation Ordinances Increasing Appropriations in Various Public Events Department Funds to Account for Increased Revenues and Amend the Fiscal Year 2023 Adopted Budget

Motion: Approved. Appropriation Ordinance Nos. 26037-03-2023, 26038-03-2023, 26039-03-2023, and 26040-03-2023

12. [M&C 23-0223](#) (CD 5 / Future CD 11) Authorize the Appropriation of Funds in the Amount of \$88,940.00 Generated By the Direct Sale of Two City-Owned Properties Located at 4701 Village Creek Road and 5000 Martin Luther King Jr. Freeway, Fort Worth, Texas 76119 to Provide Fencing to Secure the Remaining City Property and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26041-03-2023

13. [M&C 23-0224](#) (CD 8 / Future CD 8) Authorize \$133,077.00 Increase in Contract Authority with the Development Corporation of Tarrant County, a Certified Community Housing Development Organization, for the Development of Four Single-Family Homes in the Polytechnic Neighborhood, Resulting in a New Aggregate Total of \$707,430.00 in Federal Funds

Motion: Approved.

14. [M&C 23-0226](#) (ALL) Authorize the Execution of Unit Price Contracts with TRP Construction Group, LLC and Traffic Highway Maintenance, LLC each in an Amount Not to Exceed \$5,000,000.00 for Task Order Construction Services for Projects Relating to Pavement Marking

Motion: Approved.

15. [M&C 23-0228](#) (CD 2 / Future CD 2) Adopt a Resolution Authorizing Execution of an Agreement with the Texas Department of Transportation for Construction, Maintenance, and Operation of a Safety Lighting Systems within State Highway 183 from Nichols Street to Decatur Avenue

Motion: Approved. Resolution No. 5716-03-2023

B. Purchase of Equipment, Materials, and Services - Consent Items

1. [M&C 23-0194](#) (ALL) Amend Mayor and Council Communication 22-0552 to Authorize the Execution of a Contract with HD Supply Facilities Maintenance, Ltd. for Janitorial Supplies Using Omnia Partners 22-07 for All City Departments

Motion: Approved.

3. [M&C 23-0201](#) (ALL) Authorize Execution of a One-Time Purchase Agreement with Industrial Disposal Supply Company for Twelve Street Sweepers for an Amount Up to \$3,750,000.00 for the Code Compliance Department

Motion: Approved.

4. [M&C 23-0203](#) (ALL) Authorize the Execution of an Agreement with Freer Mechanical Contractor's Inc. and A&G Piping, Inc. Using an Interlocal Agreement with Tarrant County Contract No. 2022-210 in an Annual Amount Up to \$500,000.00 for Mechanical and Plumbing Services for the Public Events Department

Motion: Approved.

5. [M&C 23-0205](#) (ALL) Authorize Execution of Non-Exclusive Agreements with Abacus Corporation and Smith Temporaries, Inc. dba Cornerstone Staffing for Grant-Related Temporary Staffing Services in the Combined Annual Amount Up to \$1,200,000.00 for the Aviation Department and Neighborhood Services Department

Motion: Approved.

6. [M&C 23-0206](#) (ALL) Authorize Execution of an Agreement with JPMorgan Chase Bank, N.A. to Provide Banking and Depository Services for Financial Management Services Department for an Annual Amount Up to \$500,000.00 for an Initial Three-Year Term and Two One-year Renewal Options for the Same Annual Amount

Motion: Approved.

7. [M&C 23-0208](#) (ALL) Authorize Execution of Amendment No. 1 to City Secretary Contract No. 56890 with Synergy Refrigeration, Inc., for Original Equipment Manufacturer Parts, Maintenance and Repairs to Increase the Annual Amount by \$25,000.00 for a New Annual Amount Not to Exceed \$125,000.00 for the Water Department

Motion: Approved.

8. [M&C 23-0209](#) (ALL) Authorize an Amendment to the Annual Agreements with Silver Creek Materials Inc., and Clear Fork Materials, LLC, for Park Improvement Materials to Increase the Annual Amount by \$25,000.00 for a New Annual Aggregate Amount Not to Exceed \$125,000.00 for the Park and Recreation Department

Motion: Approved.

9. [M&C 23-0210](#) (ALL) Authorize Non-Exclusive Purchase Agreements with Multiple Vendors Using BuyBoard Cooperative Contract No. 698-23 for the Purchase of Public Safety and Firehouse Supplies and Equipment in a Combined Annual Amount Not to Exceed \$13,264,774.00 for City Departments

Motion: Approved.

C. Land - Consent Items

1. [M&C 23-0231](#) (CD 7 / Future CD 7) Authorize the Voluntary Acquisition of a Fee Simple Interest and Improvements, with Reservation of a Life Estate, in Lots 5 and 6, Block 1 of Lakeland Addition, Located at 8600 Marks Lane, Fort Worth, Texas 76135 from The Ramsey Living Trust in the Amount of \$500,000.00, Pay Estimated Closing Costs in an Amount Up to \$10,000.00 for a Total Cost of \$510,000.00, and Dedicate the Property as Parkland as an Addition to the Fort Worth Nature Center and Refuge Upon Termination of the Life Estate

Property description: Lots 5 and 6, Block 1, Lakeland Addition, located at 8600 Marks Lane

Motion: Approved.

2. [M&C 23-0234](#) (CD 7 / Future CD 7) Authorize the Voluntary Acquisition of a Fee Simple Interest and Improvements, with Reservation of a Life Estate, in Lots 1-5, Block 4 of Lakeland Addition, Located at 8559 Marks Lane, Fort Worth, Texas 76135 from Mark and Elaine Traynham in the Amount of \$200,000.00, Pay Estimated Closing Costs in an Amount Up to \$10,000.00 for a Total Cost of \$210,000.00, and Dedicate the Property as Parkland as an Addition to the Fort Worth Nature Center and Refuge Upon Termination of the Life Estate

Property description: Lots 1-5, Block 4, Lakeland Addition, located at 8559 Marks Lane

Motion: Approved.

3. [M&C 23-0236](#) (CD 7 / Future CD 10) Authorize Acquisition of Right-of-Way Easement in 0.729 Acres from Real Property Owned by Tanvi Holdings, LLC Situated in the M.E.P. & P.R.R. CO. Survey, Abstract No. 1129, City of Haslet, Tarrant County, Texas in the Amount of \$516,066.05 and Pay Estimated Closing Costs in an Amount Up to \$5,000.00 for a Total Cost of \$521,066.05 for the Avondale Haslet Road Project (2018 Bond Program)

Property description: 0.729 acres situated in the M.E.P. & P.R.R. CO. Survey, Abstract No. 1129, City of Haslet, Tarrant County, Texas

Motion: Approved.

E. Award of Contract - Consent Items

1. [M&C 23-0192](#) (ALL) Adopt Appropriation Ordinance Reallocating Resources in the Amount up to \$405,066.00 for Consultation Services with Urban3, LLC. Related to the Development of a Financial Equity Tool, and Amend the Fiscal Year 2023 Adopted Budget

Motion: Approved. Appropriation Ordinance No. 26042-03-2023

2. [M&C 23-0193](#) (ALL) Ratify Application for and Authorize Acceptance of, if Awarded, the Fiscal Year 2024 TexTreasuries Grant from the Texas State Library and Archives Commission in the Amount Up to \$40,000.00 for the Purpose of Funding the Digitization of the Fort Worth Press Newspaper Microfilm Collection, Authorize Execution of Related Grant Agreement, and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26043-03-2023

3. [M&C 23-0197](#) (CD 5 / Future CD 5) Authorize Execution of a Professional Services Agreement in the Amount of \$821,636.00 with Freese and Nichols, Inc. for Construction Management Services for the Village Creek Water Reclamation Facility Digester Improvements Project and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26044-03-2023

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4. [M&C 23-0199](#) (ALL) Ratify Emergency Contracts with Jackson Construction, Ltd., and Texas Material Group, Inc. dba Texas Bit in the Final Amounts of \$444,330.48 and \$921,637.21 Respectively for Emergency Pavement Repair Work Subsequent to Water Main Repair Performed for the Summer 2022 Heat Wave Weather Event and Adopt Appropriation Ordinance to Effect a Portion of Water's Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance No. 26045-03-2023

5. [M&C 23-0207](#) (CD 6 / Future CD 8) Authorize Application for and Acceptance of a Grant, if Awarded, from the Federal Aviation Administration, Passed Through the Texas Department of Transportation, in an Amount Up to \$187,500.00 for the Upgrade of the Weather Reporting System at Fort Worth Spinks Airport, with an Amount Up to \$62,500.00 Contributed as the City's Match Requirement, for a Total Project Amount Up to \$250,000.00, Adopt Resolution Authorizing the City Manager to Execute Grant Related Agreements with the State of Texas, Represented by the Texas Department of Transportation, and Adopt Appropriation Ordinance

Motion: Approved. Resolution No. 5717-03-2023 and Appropriation Ordinance No. 26046-03-2023

6. [M&C 23-0217](#) (ALL) Authorize Acceptance of an Award of \$17,000.00 in Fiscal Year 2023 Supplemental Funds from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention, through the City of Dallas, Texas, to Support the Fort Worth Police Department Internet Crimes Against Children Task Force and Accept the Terms of the Fiscal Year 2023 Interlocal Agreement and Adopt Appropriation Ordinance

Motion: Approved. Appropriation Ordinance No. 26047-03-2023

7. [M&C 23-0225](#) (CD 4 / Future CD 4) Authorize Execution of an Architectural Design Contract in the Amount of \$444,000.00 Including \$43,300.00 of Reimbursable Expenses, with RPGA Design Group, Inc., for Design and Construction Administration Services for Fire Station No. 37 Located at 10600 Alta Vista Road for an Estimated Total Cost of the Project, Including Design, Construction, and Other Costs in the Amount of \$10,428,200.00 (2022 Bond Program)

Motion: Approved.

8. [M&C 23-0230](#) (CD 6 / Future CD 6) Authorize Execution of a Contract with Humphrey & Morton Construction Company, Inc., in the Amount of \$2,301,070.00 for the Westcreek Channel Rehabilitation Project, Adopt Appropriation Ordinances and Amend the Fiscal Years 2023-2027 Capital Improvement Program

Motion: Approved. Appropriation Ordinance Nos. 26048-03-2023 and 26049-03-2023

PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. [23-0061](#) Notice of Claims for Alleged Damages or Injuries

End of Consent Agenda.

A. General - Removed from Consent Agenda

11. [M&C 23-0222](#) (CD 8 / Future CD 8) Authorize a Change in Use and Adjust Existing Appropriations in Community Development Block Grant Funds in the amount of \$250,000.00 to Fund the Worth Heights Community Center Renovation Project and Authorize a Substantial Amendment to the City's 2019-2020 Action Plan

Council Members Crain and Williams advised that they filed a Conflict of Interest Affidavit with the City Secretary's Office pertaining to M&C 23-0222 and would abstain from voting on this issue.

Motion: Council Member Nettles made a motion, seconded by Council Member Beck, that M&C 23-0222 be approved. Motion passed 7-0, with two abstentions from Council Members Crain and Williams.

B. Purchase of Equipment, Materials, and Services - Removed from Consent Agenda

10. [M&C 23-0229](#) (CD 5 / Future CD 5) Authorize Execution of a Lease Agreement with American Airlines, Inc for Space Located at 1 Skyview Drive, Fort Worth, Texas, 76155 to be Used as Office Space by the Fort Worth Police Department

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Blaylock, that M&C 23-0229 be approved. Motion passed 9-0.

ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Bivens and Council Members Flores, Williams, Firestone, and Beck announced upcoming and recent events within the City and various Council districts.

2. Recognition of Citizens

There was no recognition of citizens.

3. Approval of Ceremonial Travel

There was no approval of ceremonial travel.

Bob Willoughby appeared before Council undecided relative to M&C 23-0245 and in opposition to M&C 23-0148.

The following individuals appeared before Council in support of M&C 23-0218:

Daniel Haase
Adrian Smith

PRESENTATIONS BY THE CITY COUNCIL

1. Council Proposal

Motion: Council Member Williams made a motion, seconded by Mayor Pro tem Bivens, to suspend Council Rules of Procedure Section 5.2.1 to waive the second reading of Council Proposal CP-327 to allow it to be acted upon at this meeting. Motion passed 9-0.

[CP-327](#) Placement of Ben and Meg Arbour Memorial Designation on West Risinger Road at its Intersection with Burr Oak Lane and Waiver of Application Fee and Program Requirements - Council Member Jared Williams, PhD

Andy and Liz Anderson, parents of Meg Arbour, appeared before Council in support of Council Proposal CP- 327.

The following individuals appeared before Council via conference call in support of Council Proposal CP-327:

Jimmy Arbour, Avon, Colorado
Candy Arbour, Avon, Colorado

Motion: Council Member Williams made a motion, seconded by Council Member Crain, that Council Proposal CP-327 be approved and Resolution No. 5718-03-2023 be adopted. Motion passed 9-0.

2. Changes in Membership on Boards and Commissions

[23-0245](#) Board Appointments - Mayor Mattie Parker

Motion: Mayor Parker made a motion, seconded by Council Member Crain, that the following individuals be appointed to the Human Relations Commission effective March 21, 2023, and with term expiring October 1, 2025.

- Place 2: Glenda Diaz
- Place 4: Mitchell Hartley
- Place 6: Whitnee Boyd
- Place 10: Leon Merritt (Mayor's Committee on Persons with Disabilities Liaison)

Motion passed 9-0.

[23-0248](#) Board Appointments - Mayor Mattie Parker - Fort Worth Art Commission

Motion: Mayor Parker made a motion, seconded by Council Member Crain, that the following individuals be appointed to the Fort Worth Art Commission effective March 21, 2023, and with terms expiring September 30, 2023:

- Position 1 (Community Representative) – Hady Mawajdeh
- Position 8 (Community Representative – Libby Tilley Hogg)

Motion passed 9-0.

[23-0246](#) Board Appointments - District 9

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that R. Matthew Graham be appointed to Place 9 on the City Plan Commission and the Capital Improvements Plan Advisory Committee for Transportation Impact Fees effective March 21, 2023, and with a term expiring October 1, 2025. Motion passed 9-0.

**PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS,
COMMISSIONS AND/OR CITY COUNCIL COMMITTEES - NONE**

There were no presentations and/or communications from boards, commissions, and/or City Council committees.

RESOLUTIONS

1. [23-0243](#) A Resolution Appointing Certain Persons to the Board of Directors to Fill Vacancies on Certain of the City's Tax Increment Reinvestment Zones; Amending Resolution No. 5673-12-2022 to Correct the Number of Board Appointments by the City of Fort Worth and Tarrant Regional Water District

Motion: Council Member Crain made a motion, seconded by Council Member Nettles, that Resolution No. 5719-03-2023 be adopted. Motion passed 9-0.

2. [23-0244](#) A Resolution Acknowledging that Development of Hughes House Mixed Use and Affordable Multifamily Housing Project ("Development") Will Result in a Qualified Census Tract Having More than 20% Housing Tax Credit Units Per Total Households and Expressing No Objection to the Development's Application

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that Resolution No. 5720-03-2023 be adopted. Motion passed 9-0.

PUBLIC HEARING

1. [M&C 23-0191](#) (ALL) Conduct Public Hearing on the Proposed City of Fort Worth 2023 Comprehensive Plan and Adopt Ordinance Approving the City of Fort Worth 2023 Comprehensive Plan

(PUBLIC HEARING - a. Report of City Staff: Eric Fladager; b. Citizen Presentations; c. Council Action: Close the Public Hearing and Act on M&C)

Mayor Parker opened the public hearing.

a. Report of City Staff

Eric Fladager. Planning & Analytics Department, appeared before Council and provided a staff report.

b. Public Comment

The following individuals appeared before Council in opposition to M&C 23-0191:

Letitia Wilbourn
Jim Schermbeck, Dallas, Texas
Diana Mercado
Teena James
John McFarlane
Barbara Crotty
Cecil Mattson, North Richland Hills, Texas
MarTayshia James

Mark James completed a speaker card in opposition to M&C 23-0191 and was recognized by Mayor Parker but was not present in the Council Chamber.

The following individuals completed comment cards in opposition to M&C 23-0191:

Reed Bilz
Jefflyn Jones
Laurie Stelljes

Sherry Warren Dukes appeared before Council via conference call undecided relative to M&C 23-0191.

Jackee Cox appeared before Council undecided relative to M&C 23-0191.

Tara Maldonado-Wilson appeared before Council via conference call undecided relative to M&C 23-0191.

c. Council Action

Motion: Mayor Parker made a motion, seconded by Council Member Beck, that the public hearing be closed, M&C 23-0191 be approved as amended to continue consideration of Part II, Chapter 4, Land Use and Appendix C to April 25, 2023, and Ordinance No. 26050-03-2023 be adopted. Motion passed 9-0.

2. [M&C 23-0195](#) (CD 4/ Future CD 4) Conduct Public Hearing and Authorize the Use of a Portion of Heritage Glen Park for a Permanent Sanitary Sewer Maintenance Area

(PUBLIC HEARING - a. Report of City Staff: Lori Gordon; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

Mayor Parker opened the public hearing.

a. Report of City Staff

Joel McElhany, Park and Recreation Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Blaylock made a motion, seconded by Council Member Nettles, that the public hearing be closed and M&C 23-0195 be approved. Motion passed 9-0.

(Council Member Williams stepped away from the dais.)

3. [M&C 23-0062](#) (CD 7 / Future CD 10) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 61.436 Acres of Land in Denton County, Known as Timber Hill ARCO, Located West of Blue Mound Road and South of Highway 114, in the Far North Planning Sector, AX-22-010 (Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: Stuart Campbell; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

Mayor Parker opened the public hearing.

a. Report of City Staff

Stuart Campbell, Development Services Department, appeared before Council and provided a staff report.

b. Public Comment

There were no public comments.

c. Council Action

Motion: Council Member Firestone made a motion, seconded by Council Member Crain, that the public hearing be closed and M&C 23-0062 be continued to the April 11, 2023, Council meeting. Motion passed 8-0, Council Member Williams absent.

City Secretary Goodall advised that Zoning Docket ZC-22-192 was a companion piece to M&C 23-0062 and would be heard at this time.

1. [ZC-22-192](#) (CD 7) Double Eagle TH LLC - ARCO Murray, 18242 S FM 156 (20 ac.) From: Unzoned, To: "I" Light Industrial (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

Motion: Council Member Firestone made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-22-192 be continued to the April 11, 2023, Council meeting. Motion passed 8-0, Council Member Williams absent.

B. Purchase of Equipment, Materials, and Services - Removed from Consent Agenda

2. [M&C 23-0196](#) (ALL) Authorize Agreement with Kirby Smith Machinery, Inc., Holt Texas, Ltd., ROMCO Equipment Co., and Zimmerer Kubota and Equipment, Inc., Using BuyBoard Cooperative Contract No. 646-21 for Rental Services of Construction Equipment, Vehicles, and Other Equipment for an Annual Amount Up to \$939,642.00 for the Transportation and Public Works, Park and Recreation, Aviation, and Code Compliance Departments

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that M&C 23-0196 be approved. Motion passed 8-0, Council Member Williams absent.

(Council Member Williams returned to his place at the dais.)

A. General - Removed from Consent Agenda

16. [M&C 23-0232](#) (CD 5/ Future CD 11) Authorize the Execution of a First Amendment to the Lease Agreement Between the City of Fort Worth and Waste Management of Texas Incorporated (City Secretary Contract No. 47008) to Extend the Lease Term for Use of a Portion of the Property Located at 5000 Martin Luther King Freeway, Fort Worth, Texas 76119 to Coincide with the Extended Term of the Waste Collection Contract (City Secretary Contract No. 28358-E2)

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that M&C 23-0232 be approved. Motion passed 9-0.

ZONING HEARING

It appeared that the City Council, at its meeting of February 14, 2023, continued Zoning Docket ZC-22-211.

2. [ZC-22-211](#) (CD 5/11) Humberto Becerra, 4309 Village Creek Road (2.3 acres) From: "A-21" One-Family, To: "I" Light Industrial (Recommended for Denial by the Zoning Commission)(Continued from a Previous Meeting)

Alexia Becerra appeared before Council in support of Zoning Docket ZC-22-211.

Humberto Becerra completed a speaker card in support of Zoning Docket ZC-22-211 and was recognized by Mayor Parker but did not wish to address Council.

The following individuals appeared before Council in opposition to Zoning Docket ZC-22-211:

Letitia Wilbourn
Linda Beasley

Patrina Newton, Arlington, Texas, completed a comment card in opposition to Zoning Docket ZC-22-211.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Williams, that Zoning Docket ZC-22-211 be denied. Motion passed 9-0.

It appeared that the City Council, at its meeting of February 14, 2023, continued Zoning Docket ZC-22-212.

3. [ZC-22-212](#) (CD 9/11) F & P Properties/Enduro Coffee Roasters, 2400 block (odds) Gillis Street (0.42 acres) From: "I" Light Industrial, "B" Two-Family, and "A-5" One-Family, To: "MU-2" High Intensity Mixed-Use (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

Motion: Council Member Beck made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-22-212 be approved. Motion passed 9-0.

The Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 21653-02-2015 hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on March 3, 2023.

Mayor Parker opened the public hearing.

4. [ZC-22-170](#) (CD 5/11) Idris Adeniseun, 5213 Mansfield Highway (1.7 ac.) To: Add Conditional Use Permit (CUP) to allow vehicle junkyard in “K” Heavy Industrial for a maximum of 5 years; site plan included. (Recommended for Approval by the Zoning Commission)

Letitia Wilbourn appeared before Council in opposition to Zoning Docket ZC-22-170.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Nettles, that Zoning Docket ZC-22-170 be approved. Motion passed 9-0.

5. [ZC-22-219](#) (CD 9/9) Tarrant County Hospital District, 151,175 and 209 W. Magnolia Ave (1.14 ac.) From: “NS-T5” Near Southside District, To: “NS-T5I” Near Southside District-Industrial (Recommended for Approval by the Zoning Commission)

Scott Gibson completed a speaker card in support of Zoning Docket ZC-22-219 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-219 be approved. Motion passed 9-0.

6. [ZC-22-223](#) (CD 7/7) Hawkins Custom Homes, Peloton Land Solutions, 8400 Wagley Robertson Road (7.4 ac.) From: “PD 514” Planned Development for all uses in “F” General Commercial with additional uses listed, site plan waived, To: “R2” Townhouse/Cluster (Recommended for Approval by the Zoning Commission)

Roy Oujesky appeared before Council in opposition to Zoning Docket ZC-22-223.

Motion: Council Member Firestone made a motion, seconded by Council Member Beck, that Zoning Docket ZC-22-223 be continued to the April 11, 2023, Council meeting. Motion passed 9-0.

7. [ZC-22-227](#) (CD 7/10) TPHMI 4407 DFW LLC/Bruce French, 500-800 blocks Blue Mound Road West (64 ac.) From: “PD 1313” Planned Development for “AG” Agricultural, “A-7.5” One-Family, “A-5” One-Family and “E” Neighborhood Commercial uses with increased lot coverage and development standard, To: “I” Light Industrial (Recommended for Approval by the Zoning Commission)

Bruce French, Plano, Texas, appeared before Council in support of Zoning Docket ZC-22-227.

Motion: Council Member Firestone made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-22-227 be approved. Motion passed 9-0.

8. [ZC-23-002](#) (CD 8/11) City of Fort Worth / Development Services, 3629 Meadowbrook Drive (0.4 ac.) From: “ER” Neighborhood Commercial Restricted, To: “A-5” One-Family (Recommended for Approval by the Zoning Commission)

The following individuals completed speaker cards in support of Zoning Docket ZC-23-002 and were recognized by Mayor Parker but did not wish to address Council:

Daniel Haase
Michael Phipps

Edward Sakerka completed a comment card in support of Zoning Docket ZC-23-002.

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-002 be approved. Motion passed 9-0.

9. [ZC-23-004](#) (CD 5/5) Tim Morton DVM PPLC / Q Wash Management LLC, 6767 Brentwood Stair Road (1.38 ac.) To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in “E” Neighborhood Commercial; site plan included (Recommended for Approval by the Zoning Commission)

Sameer Mohammed, Euless, Texas, appeared before Council in support of Zoning Docket ZC-23-004.

Tim Morton, 1501 Handley Drive, completed a speaker card in support of Zoning Docket ZC-23-004 and was recognized by Mayor Parker but did not wish to address Council.

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Beck, that Zoning Docket ZC-23-004 be approved. Motion passed 9-0.

10. [ZC-23-005](#) (CD 8/8) Francisco & Feliciano Munoz / James Walker, 1612 Logan Street (0.16 ac.) From: “A-5” One Family Residential, To: “I” Light Industrial (Recommended for Approval by the Zoning Commission)

Motion: Council Member Nettles made a motion, seconded by Council Member Crain, that Zoning Docket ZC-23-005 be approved. Motion passed 9-0.

11. [ZC-23-006](#) (CD 9/9) Diaz Real Estate Holdings/Katie Car Wash, 4444 South Freeway (0.69 ac.) To: Add Conditional Use Permit (CUP) to allow an automated carwash facility in “FR” General Commercial Restricted; with development waiver for vacuum canopies in front of the building, site plan included. (Recommended for Approval by the Zoning Commission)(Continued from a Previous Meeting)

Robert Petrie completed a speaker card in support of Zoning Docket ZC-23-006 and was recognized by Mayor Parker but did not wish to address the Council

Michael Thomas appeared before Council in support of Zoning Docket ZC-23-006.

Motion: Council Member Beck made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-23-006 be continued to the April 11, 2023, Council meeting. Motion passed 9-0.

12. [ZC-23-008](#) (CD 3/7) Clairemont MDC LLC, 10100 West Freeway (7.7 ac.) From: “C” Medium Density Multifamily; “G” Intensive Commercial, To: “PD/E” Planned Development for all uses in “E” Neighborhood Commercial, plus miniwarehouse; site plan included (Recommended for Approval by the Zoning Commission)

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that Zoning Docket ZC-23-008 be approved. Motion passed 9-0.

13. [ZC-23-010](#) (CD 5/11) PCB83 LAND 2, LLC. / Matthew Maly, 5024 Collett Little Road (0.72 ac.) From: "E" Neighborhood Commercial, To: "I" Light Industrial (Recommended for Denial by the Zoning Commission)

The following individuals appeared before Council in support of Zoning Docket ZC-23-010:

Patrick Bryan, Colleyville, Texas
Matthew Maly

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Flores, that Zoning Docket ZC-23-010 be denied. Motion passed 9-0.

There being no one else present desiring to be heard in connection with the recommended changes and amendments pertaining to Zoning Ordinance No. 21653-02-2015 for the above-listed cases, Mayor Pro tem Bivens made a motion, seconded by Council Member Flores, that the hearing be closed and Ordinance No. 26051-03-2023 be adopted. Motion passed 9-0.

REPORT OF THE CITY MANAGER

B. General

1. [M&C 23-0148](#) (ALL) Authorize the Execution of a Services Agreement with WM Recycle America, LLC. for Recycling Processing Services in an Estimated Annual Amount of \$4,507,000.00 for an Initial Ten-Year Term for the Code Compliance Department (Continued from a Previous Meeting)

Motion: Council Member Crain made a motion, seconded by Council Member Beck, that M&C 23-0148 be approved. Motion passed 9-0.

2. [M&C 23-0212](#) (ALL) Adopt Resolution Establishing a Policy for the Economic Development Initiatives Fund

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that M&C 23-0212 be approved and Resolution No. 5721-03-2023 be adopted. Motion passed 9-0.

3. [M&C 23-0215](#) (ALL) Adopt Resolution Amending Certain Portions of the Chapter 380 Economic Development Program Policy

Motion: Council Member Crain made a motion, seconded by Council Member Flores, that M&C 23-0215 be approved and Resolution No. 5722-03-2023 be adopted. Motion passed 9-0.

4. [M&C 23-0220](#) (ALL) Adopt Resolution Amending Certain Portions of the City's Policy, Guidelines and Procedures for Tax Increment Reinvestment Zones

Motion: Council Member Crain made a motion, seconded by Mayor Pro tem Bivens, that M&C 23-0220 be approved and Resolution No. 5723-03-2023 be adopted. Motion passed 9-0.

5. [M&C 23-0235](#) (ALL) Adopt Resolutions Establishing a Policy for the Creation of Innovation Districts in Fort Worth, Establishing the Fort Worth Mobility Innovation Zone, and Establishing the Fort Worth Medical Innovation District

Motion: Mayor Pro tem Bivens made a motion, seconded by Council Member Crain, that M&C 23-0235 be approved and Resolution Nos. 5724-03-2023, 5725-03-2023 and 5726-03-2023 be adopted. Motion passed 9-0.

D. Land

1. [M&C 23-0227](#) (CD 8/ Future CD 11) Adopt Resolution Authorizing Condemnation by Eminent Domain to Acquire 0.0059 Acres in Pedestrian Access Easement from Real Property Owned by Sai Kripa RB Investment Inc Located at 301 S. Sylvania Avenue in the Riverside Addition-Fort Worth, Block 29, Lots 1-3, Tarrant County, Texas for the East 4th Street-East 1st Street On-Street Bike Lane Project (2018 Bond Program)

Motion: Council Member Nettles made a motion, seconded by Mayor Pro tem Bivens, to approve M&C 23-0227 and adopt Resolution No. 5727-03-2023 authorizing use of the power of eminent domain to acquire 0.0059 acres in pedestrian access easement from real property owned by Sai Kripa RB Investment Inc. The land rights in the subject property are needed for the East 4th Street-East 1st Street On-Street Bike Lane project; a public use which provides for the construction of new separated bicycle lanes, bicycle and pedestrian signalization, bicycle and pedestrian counters, and related intersection improvements along the project corridor. The property is located at 301 S. Sylvania Avenue in the Riverside Addition-Fort Worth, Block 29, Lots 1-3, Tarrant County, Texas. The property interest to be acquired is described by metes and bounds and depicted by survey exhibits attached to this Mayor and Council Communication. Motion passed 9-0.

F. Award of Contract

1. [M&C 23-0218](#) (CD 9/ Future CD 9) Authorize Execution of an Economic Development Program Agreement with ProbablyMonsters, Inc. or an Affiliate, in an Amount Not to Exceed \$1,500,000.00 for the Establishment of a Primary Office in the City of Fort Worth and Associated Employment Commitments

Motion: Council Member Beck made a motion, seconded by Council Member Crain, that M&C 23-0218 be approved. Motion passed 9-0.

ADJOURNMENT

There being no further business, Mayor Parker adjourned the meeting at 8:49 p.m., in honor of Allison Gray, Assistant Development Services Director, who passed away on Tuesday, March 14, 2023.